

CHARTER COMMISSION
CITY AND COUNTY OF HONOLULU

MONDAY, JANUARY 31, 2005
COUNCIL CHAMBERS
THIRD FLOOR, HONOLULU HALE
3:00 P.M.

MINUTES

Charter Commission Members Present:

Andrew I. T. Chang
E. Gordon Grau
Amy H. Hirano
Jared N. Kawashima
Darolyn H. Lendio
Stephen Meder
Jeffrey Mikulina
Jim Myers
Jan Naoe Sullivan
Donn M. Takaki
Malcolm J. Tom

Excused:

Jerry Coffee

Guest:

James C. Pacopac

Others Present:

Dawn D. M. Spurlin, Deputy Corporation Counsel
Diane T. Kawauchi, Deputy Corporation Counsel

Donovan M. Dela Cruz, Chair, Honolulu City Council
Kimberly Ribellia, Aide to Chair Dela Cruz

League of Women Voters Representatives (2)

I. Call to Order

The meeting was called to order at 3:00 p.m. January 31, 2005, by Chair Pro Tempore Donn Takaki

II. Agenda Item No. 3, For Discussion

a. For Discussion, Item 3.b. Charter Amendment Proposals That Were Introduced

Without objection and with unanimous consent of the members present, the item was taken out of order and the discussion on the proposals for charter amendment was deferred until the Commission's Rules Committee convenes and determines a method to bring charter amendments to the attention of the full Commission. The Chair solicited and received no public testimony on any of the charter amendment proposals.

b. For Discussion, Item 3.a. Appointment of Thirteenth Member to the Charter Commission

Without objection and with unanimous consent of the members present, the item was taken out of order. The Chair requested information from Council Chair Donovan Dela Cruz, regarding the Council confirmation process for the thirteenth member of the Commission. Council Chair Dela Cruz informed the Commission that the public hearing on the nomination of James Pacopac was held at the last Council meeting. Council Chair Dela Cruz informed the Commission that he had requested of Council Executive Matters Committee Chair Romy Cachola, that the nomination be placed on the agenda of the next meeting of the Executive Matters Committee and that if the Committee acted favorably on the nomination, the matter would be placed on the agenda of the following Council meeting on February 23, 2005 for Council confirmation of the nomination.

III. Agenda Item No. 2, For Action

a. For Action, Item 2.a. Election of Officers

The Chair recommended that the Commission defer election of permanent officers until the thirteenth member of the Commission is confirmed. There being no objection by any of the members present and no discussion on the matter, the election of officers was deferred.

Budgets

The Chair informed the members that there are two budgets for discussion before the Commission: one for the balance of this fiscal year and another for fiscal year 2005-06. The budget for the next fiscal year is due to the City Council on either February 10, 2005 or February 11, 2005. The Chair recommended the appointment of subcommittees, a Rules Committee and because of the imminent budget submittal date, a subcommittee on personnel because the salary needs comprises a large portion of the Commission's budget.

Commissioner Darolyn Lendio requested a response from Corporation Counsel on the question whether or not the Commission could approve a budget today without the thirteenth member of the Commission. Deputy Corporation Counsel Dawn Spurlin responded that the Commission could approve a budget today provided a majority of the Commission membership is present for the vote.

Commissioner Lendio questioned delaying finalization of the budget because of the need to meet the City Council deadline of February 10, 2005, since the Commission will not be meeting prior to the deadline.

Commissioner Jim Myers asked what is the form of the document that must be submitted to fulfill the budget requirement, whether or not it is a total sum or a detailed line-item budget. The Chair requested a response from Council Chair Dela Cruz who informed the Commission that a line-item budget is required because the Councilmembers will ask for the purpose for the Charter Commission's funding requests. Council Chair Dela Cruz also confirmed that two Commission budgets are needed immediately, one for the balance of the current fiscal year 2004-05 and one for the next fiscal year 2005-06, because of a charter requirement that the Council submit a budget by March 2, 2005.

Commissioner Lendio reaffirmed the immediate need for a budget for the remainder of this fiscal year but asked for the date when the next fiscal year budget is due to the City Council. Council Chair Dela Cruz responded that the fiscal year 2005-06 budget is due by February 11, 2005 because the Council must submit its budget by March 2, 2005. Council Chair Dela Cruz explained that for the remainder of this fiscal year, the Council will be obligated to find monies in the Council's budget for the Charter Commission funding needs.

Council Chair Dela Cruz informed the Commission that the Commission will be asked to appear before the Council Budget Committee and the City Council to explain the need for the funds requested.

Commissioner Lendio recommended that the Commission proceed today and preliminarily approve the report on the budget from the Subcommittee after it has been reviewed and discussed. The Budget Subcommittee met and the Subcommittee will report its findings to the Commission today, so the Commission will have information to submit a request for funds to Council Chair Dela Cruz for this fiscal year and to finalize a budget for next fiscal year by February 10th.

The Chair asked for clarification of the title of the Subcommittee that met, whether or not it was the Personnel Subcommittee. Commissioner Lendio confirmed it was the Budget Subcommittee.

The Chair suggested either that the budget be adopted today or that the Budget Subcommittee meet and then to follow with a Commission meeting next week.

Commissioner Myers asked if the Budget Subcommittee had a recommendation to the Commission today.

The Chair reported that the Personnel Subcommittee has recommendations on positions to be funded but no recommendation on all other associated items to be budgeted. Informational materials from the Personnel Subcommittee for the funding needs for those items have been distributed today to the Commission members. Commissioner Lendio commented that the decision on salaries and staff positions for the positions of executive director, executive secretary and staff researcher could be made on past data but there are many other items to be budgeted such as print and televisions advertising, brochures and publications to educate the public on the proposed charter amendments, community meetings, and legal defense fees.

Staff Salaries

Commissioner Andrew Chang asked whether in the Personnel Subcommittee's review of the budget issues, the Subcommittee considered whether or not the Executive Director could be hired at the proposed salary. Commissioner Lendio responded that the Subcommittee did consider the appropriateness of the amounts, the community standards for the salaries of each of the three positions and did conclude that the \$72,000 was appropriate for the Executive Director. For the 1991-92 Charter Commission the salary paid was \$50,000. There was no paid staff for the last Charter Commission because personnel were borrowed from City agencies at no cost to the Charter Commission. The last Charter Commission had the services of the former Deputy Budget Director.

Commissioner Chang inquired of those who were involved with the 1991-92 Charter Commission whether or not their budget was adequate. Commission Lendio responded based upon her conversation with former Charter Commission Chair William McCorriston that the funds available were adequate.

Commissioner Jan Sullivan requested clarification whether the budget and salaries being discussed are as shown in the memorandum of the Office of Council Services. Commissioner Lendio directed Commissioner Sullivan's attention to the "Proposed 2005" column on the right side of the page that was prepared by the Subcommittee, City Council, Office of Council Services and the Department of the Corporation Counsel.

On a question for clarification from Commissioner Sullivan of which agenda item is now being discussed, Commissioner Lendio responded that the Commission acted to defer Item No. 2.a. Election of Officers, pending the confirmation of James Pacopac in February 2005. The Chair responded that Item No. 3.b. Charter Amendment Proposals That Were Introduced, was taken out of order and deferred until the Rules Committee meets to determine the process for proposals to be brought before the Commission. Item No. 3.a. Appointment of Thirteenth Member to the Charter Commission, was discussed. Item No. 2.a. Election of Officers, was deferred until the Commission has all thirteen members officially sworn into office, which should occur in late February. The Commission now must submit two budgets to the Council. The current discussion is whether the Commission should proceed to establish a Budget Subcommittee and a Rules Subcommittee and propose a budget by February 11, 2005, even if the Commission has deferred the election of permanent officers. Commissioner Sullivan asked whether Item No. 2.b. Proposed 2005 Charter Commission Timetable, has been discussed. The Chair responded that the Item had not yet been discussed.

The Council Chair asked if there were to be four Subcommittees because mention was made of a Calendar Committee. The Chair asked Corporation Counsel whether or not the Commission can select Committees if the Committee is not specifically listed on the agenda. Deputy Corporation Counsel Diane Kawauchi responded that the Chair of the Subcommittees may be considered as a part of the election of officers. Commissioner Lendio asked whether or not the Chair can appoint members of the Subcommittees; Deputy Corporation Counsel Kawauchi responded that the issue is for the determination of the Commission. Commissioner Lendio suggested the appointment of the Subcommittees and to have the Chair determine the membership of the Subcommittees.

Establishment of Subcommittees

The Chair recommended the established of four Subcommittees: the Personnel, Budget, Rules and Calendar Subcommittees. The Personnel Subcommittee has earlier met with Commissioner Lendio, Commissioner Jeff Mikulina and the Chair. The Rules Subcommittee would determine the process by which the community input is incorporated into the charter amendments. The Calendar Subcommittee would coordinate efforts of the Commission to meet deadlines for submission of the charter amendments and for public hearings. Commissioner Lendio volunteered to serve on the Budget Committee since she already serves on the Personnel Committee and stated she is available to meet in the next week or next two weeks. Commissioner Jared Kawashima offered to sit on the Rules Committee since he has reviewed the rules for the prior two Commissions. Commissioner Mikulina offered to join the Rules Committee. Commissioner Malcolm Tom offered to sit on the Rules Committee. Commissioner Tom commenting upon his late arrival for the meeting noted that the budget submitted by the Commission could be amended over the next three months with the Council's approval.

Commissioner Lendio moved to establish four Subcommittees: Rules, Budget, Personnel and Calendar. Seconded by Commissioner Amy Hirano. The Chair solicited discussion, there being none and with no objection, the motion was unanimously approved.

The Chair named Commissioner James Myers as Chair of the Budget Subcommittee; Commissioner Kawashima as Chair of the Rules Subcommittee, with members Commissioners Tom and Mikulina.

The Council Chair cautioned the Commission regarding the applicability of the Sunshine Law to the subcommittees, noting that if the membership totaled three, there is no requirement to post a notice of the meeting but the Commission must establish the subcommittee's tasks, and the subcommittee's acts must be approved by the Commission. If a majority of the Commission sits on a subcommittee, notice of the meeting of the subcommittee must be posted.

The Chair requested clarification of the Sunshine Law requirement from Corporation Counsel. Deputy Corporation Counsel Spurlin summarized the requirements of the statutory provision that would permit the subcommittee to meet without advance posting of a meeting notice. The statute requires that the Commission (1) designate the subcommittee, (2) assign the duties of the subcommittee and the matter it is to investigate, (3) define the scope of the subcommittee's authority, (4) establish the number of members and the number needed for a quorum, and

(5) following the meeting of the subcommittee, the subcommittee report to the Commission with its proposed findings and recommendations that may be adopted or amended by the Commission.

The Council Chair commented that in establishing the membership of the subcommittees, the Commission should be sensitive to the number of Council and Mayoral appointees comprising the membership of the subcommittee.

The Chair summarized that the membership of the Rules Subcommittee was established but that the Budget Subcommittee has only two members thus far. Commissioner Andy Chang volunteered to sit on the Budget Subcommittee. The Chair summarized that the Personnel Subcommittee has already been established and solicited volunteers for the Calendar Subcommittee. Commissioner Hirano expressed concern that because the state legislature is now in session her employment responsibilities would not permit extensive time to subcommittee activities. Commissioner Sullivan asked for the duties of the Calendar Subcommittee. The Chair responded in reference to the Proposed 2005 Timetable handout, that the timetable is to be revised to ensure that the deadlines are appropriate for the tasks and duties of the Commission. Commissioner Lendio responded that the deadlines are to keep the Commission on track, and the Chair added that the deadlines are to keep all subcommittees on track.

The Council Chair clarified that there are two timeline handouts, one from the Office of Council Services, and another one is an update of the earlier submittal.

In further discussion of the activities of the Calendar Subcommittee, Commissioner Lendio stated that there are certain deadlines that must be met to have charter amendment proposals on the general election ballot, and working back from those deadlines, the Commission will need to timely solicit public testimony on the proposals. The Calendar Subcommittee will be responsible for keeping the Commission on target to meet the deadlines. The Chair stated for example that should the Rules Subcommittee establish a requirement for three or four public readings for charter proposals, then the Calendar Subcommittee would assist by working backwards to fulfill the rule requirements to keep the Commission on target.

Commissioner Sullivan asked for the role of the executive director.

Commissioner Hirano volunteered to serve on the Calendar Subcommittee. Commissioner Sullivan also volunteered to serve on the

Calendar Subcommittee. Commissioner Gordon Grau also volunteered to serve on the Calendar Subcommittee.

Rules Subcommittee

The Chair summarized the membership of the Rules Subcommittee with Commissioner Kawashima as the Chair, and members Commissioners Tom and Mikulina. Commissioner Lendio moved to affirm the establishment of the Rules Subcommittee with Commissioner Kawashima as the Chair and members Commissioners Tom and Mikulina. Commissioner Amy Hirano seconded the motion. With no objection, the motion was adopted by unanimous consent.

Budget Subcommittee

The Chair summarized the membership of the Budget Subcommittee with Commissioner Myers as the Chair and members Commissioners Lendio and Chang. Commissioner Lendio moved to affirm the establishment of the Budget Subcommittee with Commissioner Myers as Chair and members Commissioners Lendio and Chang. Commissioner Hirano seconded the motion. With no objection, the motion was adopted by unanimous consent.

Calendar Subcommittee

The Chair summarized the membership of the Calendar Subcommittee with Commissioner Hirano as the Chair, and members Commissioners Sullivan and Grau. Commissioner Hirano moved to affirm the establishment of the Calendar Subcommittee with Commissioner Sullivan as the Chair and members Commissioners Hirano and Grau. Commissioner Lendio seconded the motion. With no objection, the motion was adopted by unanimous consent.

Personnel Subcommittee

The Chair stated that the Personnel Subcommittee was already established with Commissioner Lendio as the Chair and members Commissioners Mikulina and Takaki.

The Chair asked for discussion on the question of the adoption of a Commission budget today or to request that the Budget Subcommittee meet and report back to the Commission.

b. For Action, Item 2.b. Proposed 2005 Charter Commission Timetable

The Council Chair raised a question for clarification on the next agenda item, Item 2.b. Proposed 2005 Charter Commission Timetable. In response the Chair stated that the Commission had established the Calendar Subcommittee. Commissioner Myers moved to refer the matter of the proposed 2005 Charter Commission timetable to the Calendar Subcommittee. Commissioner Lendio seconded the motion. With no objection, the motion was adopted by unanimous consent.

c. For Action, Item 2.c. Proposed 2005 Charter Commission Budget, Including Staff Salaries, Expenses and Equipment

Returning to Item 2.c. For Action, the 2005 Charter Commission Budget, the Chair proposed action if there was no more substantive information on the Commission budget and presented a question as to the author of the budget handout. Deputy Corporation Counsel Spurlin responded that she has reviewed files of the prior Charter Commissions and identified amounts but did not perform an analysis. In some instances the sums did not reconcile. She prepared a chart for informational use and offered to search for more information if specific information is requested. She estimated that a further specific search could be completed within a few days as there were not many files within which to search.

Commissioner Sullivan requested an explanation for the difference between the executive director salary amount shown in the memo from the Office of Council Services and the document entitled "Proposed 2005 Budget." Commissioner Lendio responded that the difference is that the Office of Council Services sums represent salary and benefits; the position will be entitled to benefits, such as health. Kimberly Ribellia of the office of the Council Chair confirmed that a sum of 63.7% is added to the salary for benefits such as vacation leave, sick leave, and retirement.

Commissioner Sullivan inquired whether the sums were therefore consistent and Commissioner Lendio confirmed that the \$6,000 per month base salary for the executive director is equivalent to the \$7,320 per month shown in the memo from the Office of Council Services. Commissioner Tom inquired whether the positions were full-time or part-time positions. Commissioner Lendio responded that her understanding is that the positions are full-time for the duration of the Commission's proceedings.

Commissioner Hirano asked where the staff would be housed. The Council Chair responded that Corporation Counsel submitted a request to the Department of Facility Maintenance to locate space for the Commission staff, but if the Department cannot locate space then the Commission will be required to rent space. The Council Chair

recommended that since the Commission may not receive a response from the Department until after the March 2nd deadline for submission of a budget, it would be prudent to include rent in its budget. Deputy Corporation Counsel Spurlin advised the Commission that all prior Commissions had offices on City property but the 1971 Commission did incur moving expenses to move its City inventory into its offices. The Chair inquired what the Commission had available to it now. The Council Chair responded that currently the Commission has neither office space nor funding for rent.

Commissioner Myers inquired whether the Commission proceedings would span three budget years. The Council Chair confirmed that the proceedings would span three budget years and recommended that it would be prudent that the Commission budget consider its timetable and calendar because of the costs attendant to posting of advertisements, the requirement for hiring staff, the printing of brochures and the like. The Council Chair recommended that the timeline be in place before the Commission appears before the Council to justify its budget requests because the Council cannot approve a budget without a well thought out plan. The Council Chair reiterated this even for the budget for the balance of the current fiscal year. The Council Chair recommended that the Calendar and Rules Subcommittees establish a process for consideration of charter amendment proposals for the Commission since this will establish the deadlines for the Commission. Commissioner Tom inquired what funding is available to the Commission for the balance of this fiscal year. The Council Chair responded that for the balance of the current fiscal year, the Council would find monies to fund the Commission's budgetary needs by cutting monies from Council activities.

Commissioner Lendio identified the immediate need for staff positions and office space and the urgency to decide quickly. Commissioner Lendio asked Corporation Counsel whether the Commission is required to advertise for the staff positions or whether it may appoint individuals to fill the positions. The Council Chair responded that in prior conversations with Corporation Counsel he was informed that the positions would be filled by a personal services contract so there is no requirement to advertise to fill the positions. Commissioner Lendio inquired whether the contract would be a two-year personal services contract or whether it would be a contract for the duration of the Commission proceedings. Deputy Corporation Counsel Kawauchi responded that by charter, the personal services contract is a one-year term and will have to be renewed thereafter. The Council Chair stated that even though there is no requirement to advertise, the Commission should be concerned about the perception of hiring without public solicitation. Commissioner Lendio expressed concern that without Commission staff, the Commission is

utilizing the resources of the Corporation Counsel, the Council Chair's office, and the Office of Council Services to operate.

The Chair noted that the Proposed Budget shows the executive director employed in August 2005, the secretary in September 2005 and the researcher in September 2005, however there is a need to commence proceedings as soon as possible but to do so the Commission must submit its budget to the Council to fund these positions. Commissioner Sullivan expressed concern that the Commission find qualified individuals to fill these positions and that most qualified individuals will not seek a temporary position so the Commissioner anticipates problems with the salary level, duration of employment and that it is not a permanent position. Commissioner Sullivan inquired whether it was feasible to consider outsourcing the function since a personal services contract is a consultant contract. By outsourcing the entire function the Commission would not have to address the need for office space, secretarial support and other such matters. Commissioner Sullivan suggested this approach, as it would allow the Commission to be staffed quickly and competently. Commissioner Sullivan inquired of the duties for the executive director, secretary and the researcher. Commissioner Sullivan suggested that if the Commission will decide to advertise, that it consider both processes and compare the responses received. Commissioner Lendio inquired whether the outsourcing procedure would be a request-for-proposal procedure and whether the solicitation would be required to be bid. Commissioner Sullivan inquired whether a personal services contract is restricted to individuals. The Council Chair responded in the affirmative that a personal services contract is limited to individuals, and that if the Commission elects to pursue outsourcing, it will need to justify this to the Council Budget Committee and to the full Council. Commissioner Sullivan inquired of the Council's concern and whether the Council would prefer the Commission have a dedicated staff. The Council Chair responded in the negative, and merely that the Commission's decision will have to be justified and the Commission should be prepared to respond to the Council.

Commissioner Myers stated that the amount of funding for personnel is a main concern now for the budget so Commissioner Myers proposed that the Personnel and Budget Subcommittees meet jointly within the next couple of days to resolve this matter, and then they can address the next fiscal year budget. The budget for the final fiscal year could wait. It appears that advertising expenses which is a high-ticket item and difficult to estimate now, will fall into the last year. Advertising would occur in July, August and September and to the election, which will be expenses in the final year budget. The amounts of such expenses are volatile and

difficult to predict now because the Commission doesn't know now how many charter amendments will be proposed.

Commissioner Gordon Grau stated that upon review of the expenditures shown on the worksheet, there are a number of items the Commission personnel will require that must be included in the budget, such as furniture, supplies, moving expenses, perhaps rental costs and salaries.

Commissioner Lendio reiterated that the submission deadline for the fiscal year 2005-06 budget is February 10, 2005 and there is an immediate request for submission of the budget through June 2005. Commissioner Myers responded that the advertising activity discussed would occur in the next fiscal year. Commissioner Lendio noted that the Commission would be submitting charter amendment proposals for the ballot in 2006, so that most of the advertising expenditures will occur in the fiscal year 2005-06. Commissioner Myers questioned the expenditure of advertising expenses in the 2005-06 fiscal year. Commissioner Lendio responded that the last Charter Commission did hire a public relations consultant and an advertising consultant, so that a lot of the work will have to be completed on a contract basis which must be budgeted and submitted to Council by February 10th and approved by March 2nd, on the assumption that the Council desires a completed budget request.

Commissioner Myers noted that the budget information provided is for two fiscal years but that the Commission proceedings span three fiscal years. Commissioner Lendio noted that the information is dated, some twelve, fifteen and twenty years ago. Commissioner Mikulina also noted that the information provided is allocated among fiscal years, for example for 1991-92 and 1992-93. Commissioner Myers reiterated that the information is still on for two fiscal years and the Commission's work will span three fiscal years.

Commissioner Tom inquired at which election the charter proposals would be submitted. Commissioner Lendio confirmed that the charter proposals are to be submitted for inclusion in the November 2006 ballot. The Council Chair confirmed that the charter deadline is September 1st and forty-five days before the general election. Commissioner Lendio noted that most of the expenditures would be in the fiscal year 2005-06.

Commissioner Sullivan inquired whether the budget would include expenses for office space and rent. The Council Chair clarified that even if the Commission were to budget such expenses, the budget could be amended later to delete the item if it is unnecessary. Commissioner Sullivan inquired whether the Commission should then include the item in its budget. The Council Chair affirmed that such items should be included

in the budget for later deletion if unnecessary. The Council Chair noted that the Council will desire a calendar of events from the Commission similar to the Council's calendar for distribution to the public which sets forth the process the Commission will be pursuing together with the deadlines and the dates and locations for the public hearings.

The Chair summarized that Commissioner Myers had recommended that the Personnel and Budget Subcommittees meet this week to propose a budget to the full Commission next week for adoption. Commissioner Myers inquired whether an email meeting of the Commission would be acceptable and the Chair responded in the negative. Commissioner Myers requested confirmation that all Commission members must physically meet next week and the Chair confirmed that at least seven members must meet. The Council Chair interjected that an email meeting is not permitted because public testimony cannot be submitted for such a meeting. Commissioner Sullivan asked what are the budget line items to be decided. The Council Chair in response to the earlier discussion stated that two Subcommittees of three members each might meet since the total membership would be less than a quorum of the Commission. Commissioner Lendio noted that the recommendations of the Subcommittees must be ratified at a meeting of the full Commission. Commissioner Tom asked when will be the next Commission meeting.

The Chair summarized the proposal to have the two Subcommittees meet and report back to the full Commission next week rather than resolve the budget issue today. Commissioner Mikulina made a motion to have the two Subcommittees meet and report back to the Commission next week with next week's Commission agenda to have only a single item. The motion was seconded by Commissioner Lendio. The Chair solicited discussion, there being none and there being no objection to the motion, the motion was adopted by unanimous consent. The Chair summarized the motion that the Personnel and Budget Subcommittees shall meet and report back to the full Commission next week.

Commissioner Lendio proposed that the meeting date for next week's Commission meeting be established.

The Chair suggested that the agenda items first be completed. The Chair summarized that items 1, 2 and 3 have been completed.

IV. Agenda Item No. 4, Public Testimony

The Chair solicited public testimony on any agenda item. None was submitted or offered.

V. Agenda Item No. 5, Announcements

The Chair solicited any announcements. None were offered.

VI. Agenda Item No. 6, Next Meeting Schedule

The Chair summarized that the Commission must meet next week, before Friday.

Commissioner Lendio suggested that the two Subcommittees meet this week Thursday and inquired what the agenda notice posting deadline was for a Commission meeting next week. Kimberly Ribellia responded that a posting today would be for a meeting next Thursday. The Council Chair added that a posting tomorrow would be for a Monday meeting, posting on Wednesday for a Tuesday meeting, posting on Thursday for a Wednesday meeting, the posting requirement is six days in advance.

The Chair inquired of the membership's availability for a Tuesday meeting at 3:00 p.m., noting that there is a requirement for seven members in attendance. The meeting time was changed by agreement to 4:00 p.m.

The Council Chair conveyed the suggestion of Corporation Counsel that the tasks of the Subcommittees be clearly defined. The Chair inquired whether a motion was required. Deputy Corporation Counsel Kawauchi confirmed that the recommendation to clarify the responsibilities for the Subcommittees be accomplished by motion of the Commission.

The Chair moved that the Budget and Personnel Subcommittees meet to propose a budget for the Commission for the balance of the 2004-05 fiscal year and for the 2005-06 fiscal year, and to report back to the full Commission with its recommendation next week Tuesday at 4:00 p.m.

Commissioner Mikulina inquired whether the Personnel Subcommittee would be asked to consider outsourcing as well, to review a personal service contract and contracting out. Commissioner Sullivan responded that the proposal is withdrawn because if this cannot be accomplished with a personal services contract the process will consume too much time and the Commission cannot wait for the completion of the process.

The Chair solicited any other items for discussion. Commissioner Myers stated that upon adjournment, the Subcommittees will agree upon a meeting date and time.

The Chair summarized that the Commission has four Subcommittees: Rules, Calendar, Personnel and Budget. The Commission will await the thirteenth

member for action to elect officers. Next week the Commission will consider its budget.

Commissioner Grau inquired of parking permits for the Commission members. The Council Chair offered to pursue the status of the request.

VII. Adjournment

The meeting adjourned at 4:15 p.m.

Respectfully submitted,

Diane T. Kawauchi
Deputy Corporation Counsel¹

¹Pending either the election of a Commission member to serve as the Commission's Secretary, or the recruitment and hiring of a non-Commission member to provide clerical support and prepare the Meeting Minutes, the Department of Corporation Counsel volunteered to prepare the Minutes of the January 31, 2005 Commission meeting.